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FILED

2008 JUL -9 PM 2:37

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jesus James Edward MOORE III

Defendant.

Magistrate

Case No.

08 MJ 2081

COMPLAINT FOR VIOLATION OF

Title 18, U.S.C.,
Sec. 922(g)(3) - User of a
controlled substance in
Possession of a Firearm;

Title 21, U.S.C.,
Sec. 841(a)(1) - Possession
with Intent to Distribute a
Controlled Substance;

Title 18, U.S.C.,
Sec. 922(k) - Possession of
A Firearm with an
Obliterated Serial Number

The undersigned complainant being duly sworn states:

That on or about July 9, 2008, within the Southern District of California, defendant Jesus James Edward MOORE III, being a person who uses a controlled substance, to wit, marijuana, did knowingly and unlawfully possess two firearms, in and affecting interstate commerce, to wit, an Iver Johnson .22 Caliber pistol, serial number AE01574, made in New Jersey, and a Mossberg 12 GA shotgun with an obliterated serial number, in violation of Title 18, United States Code, Sections 922(g)(3) and (k).

That on or about June 12, 2009, within the Southern District of California, defendant Jesus James Edward MOORE was found to be in possession with the intent to distribute a controlled substance, to wit: one pound (gross wt.) of marijuana, in violation Title 21 United States Code, Section 841(a)(1).


And the complainant further states that this complaint is based on the attached statement of facts, incorporated herein by reference.

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Floyd Mohler
Special Agent, ATF

SWORN AND SUBSCRIBED TO before me
this 9th day of July 2008.



William McCurine, Jr.
United States
Magistrate Judge

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CONTINUATION OF COMPLAINT

Complaint Re: Moore III, Jesus James Edward

STATEMENT OF FACTS

The complainant states that on or about July 9, 2008, at approximately 6:00AM, ATF Special Agents, assisted by DEA Special Agents, served a federal search warrant at the residence of Jesus James Edward Moore III, located at 2470 Deauville Street, San Diego, California.

After searching the residence, agents found the following items. In Defendant Moore's bedroom by the bed, an Iver Johnson, .22 caliber pistol, Serial#AE01574 was found. In the closet on the shelf, several plastic bags containing marijuana were found. Those bags totaled approximately one pound of marijuana (gross weight). In the bedroom on the floor, numerous packaging materials were found along with a small digital scale. Also in the closet a Mossberg 12 GA pump shotgun with a pistol grip and obliterated serial number was found.

After the aforementioned items were located, at approximately 6:38AM, I read Defendant Moore his Miranda Rights, as witnessed by SA Cote. Defendant Moore stated that he understood his rights and that he was willing to speak to me. Defendant Moore stated that he had a pistol and a shotgun in the house for home protection. He also stated that he had his personal marijuana in the closet. Defendant Moore said that he smokes weed heavily, and later characterized his smoking as "An enormous habit." With respect to the shotgun, Defendant Moore said he was not aware that it had an obliterated serial number

Subsequently, I spoke with Lejonette Moore, the Defendant's wife, who stated that the pistol was not hers, nor was the marijuana. She stated that her husband smokes marijuana and she knew it was in the closet, but she will not let him do it in the house. With respect to the pistol, she said she had not seen it since before they moved from the other house to this one. She claimed not to have known about the shotgun in the closet.

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I spoke with ATF SA Geerdes, an Interstate Nexus Expert, who told me that by the fact that the aforementioned firearms were found in the State of California and made in other states, the firearms have traveled in and affected interstate commerce.

I have been a federal agent since June of 1992, and in that time, I have been involved in the arrest of hundreds of suspects involved in the trafficking of narcotics or controlled substances, and in the possession of narcotics or controlled substances. Based on my training and experience, the amounts of marijuana found and their packaging, I believe that the marijuana was possessed by Moore with the intent to distribute.

Wm SA ATT

W. McClurine Jr.

**WILLIAM McCURINE, JR.
U.S. MAGISTRATE JUDGE**